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Draft Habitat Study Work Plan

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As discussed with you yesterday, I have reviewed portions of the Draft Habitat Study Work Plan which you transmitted to me with your July 9, 1992 memo. I did not review most of the document, but focussed chiefly on the sections which are specific to the Dayco/L.E. Carpenter site.

My comments are:

On page 62, Section H.2, the discussion of a "proposed" method of site remediation may be misleading since neither EPA nor NJDEPE has proposed a remedial alternative by releasing a Proposed Remedial Action Plan to the public. To avoid any confusion, it would be better to clarify that method of site remediation described in this section has been recommended by the contractor currently performing the remedial investigation and feasibility study (RI/FS) for the site. However, the report should also note that the feasibility study has not yet been completed and that the recommended remedy may be subject to change.

On pages 83 and 84, Sections H.1.a and H.1.c, the word "proposed" could also cause confusion, as noted in the previous comment.

As I remarked during our June 18 meeting with EcolSciences, there may be a conflict of interest involving EcolSciences performing the portions of the work assignment/contract which apply to the Dayco/L.E. Carpenter site. The objectivity of EcolSciences can be questioned because EcolSciences has worked at the site on behalf of a responsible party for the site. You may wish to look into whether the involvement of EcolSciences is in compliance with the provisions of the Federal Acquisition Regulations (FAR) and EPA Acquisition Regulations (EPAAR) dealing with organizational conflicts of interest (refer to 48 CFR 9.5 and 48 CFR 1509.5, respectively).

Lastly, I will appreciate the return of the documents which I loaned to EcolSciences.

Should you have any questions, please contact me at 264-8098.

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